

# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated  5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No  6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) ( <i>if applicable</i> )	
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

## **SUPPORTING STATEMENT**

### **Federal Fisheries Logbook Family of Forms Southwest Region OMB No. 06480-0214**

#### **Justification**

##### **1. The Need for the Collection**

The Magnuson-Stevens Fishery Conservation and Magnuson Act (Magnuson-Stevens Act) established regional fishery management councils, including the Western Pacific Council (Council), to develop fishery management plans (FMPs) for fisheries in the U.S. exclusive economic zone (EEZ). These plans, if approved by the Secretary of Commerce, are implemented by Federal regulations that are enforced by the National Marine Fisheries Service (NMFS) and the U.S. Coast Guard (USCG), in cooperation with State agencies to the extent possible. FMPs are intended to regulate fishing for stocks to prevent overfishing and achieve the optimum yield from the fisheries for the benefit of the Nation.

The Council has prepared, and the Secretary has approved FMPs for four western Pacific fisheries: crustaceans, precious corals, pelagic species, and bottomfish/seamount groundfish. Each FMP establishes a number of conservation and management measures, including but not limited to permits, gear restrictions, temporal and areal closures, harvest guidelines, and reporting requirements. The reporting requirements are crucial to ensure that the Council and NMFS will be able to monitor the fishery and have fishery-dependent information to evaluate the effectiveness of management measures, determine whether changes in fishery management programs are necessary, and estimate the impacts and implications of alternative management measures. Under another clearance (OMB No. 0648-0204), information is collected from fishery participants who obtain fishing permits and experimental fishing permits from NMFS. Permit information provides a means of assessing the size and characteristics of the fishery and identifying those who might be affected by management measures. This submission addresses information needed on actual fishing activities to determine how different participants might be affected and how stocks and other living marine resources might be affected by changes in regulations governing the fishery.

Specific reporting requirements for the individual fisheries identified with the relevant section of 50 CFR 660 are as follows:

<b>Pelagics (Longline only)</b>	<ul style="list-style-type: none"> <li>•Logbooks: catch &amp; effort data and protected species interactions (660.14(a))</li> <li>•Transshipment logbooks (660.14(b))</li> <li>•Dealer records (no form) (660.14(f)(1))</li> <li>•Pre-trip notification (no form)(660.23(a))</li> <li>•Observer placement meeting (no form) (660.28(d))</li> <li>•Protected species zone entry/exit notification (no form)(660.23(b))</li> <li>•Vessel monitoring system (VMS): installation, maintenance, monitoring (no form) (660.25)</li> <li>•Claim for reimbursement for lost fishing time (no form) (660.28(i))</li> <li>•Longline fishing closed area exemption request (no form) (660.27(d))</li> </ul>
<b>Crustaceans</b>	<ul style="list-style-type: none"> <li>•Logbooks: catch &amp; effort data and protected species interactions (660.14(a))</li> <li>•Sales report (660.14(c))</li> <li>•Dealer packing/weigh-out slips; records (no form) (660.14(d); 660.14 (f)(2))</li> <li>•Pre-landing notice (no form) (660.43(a)(1))</li> <li>•Pre-offloading notice (no form)(660.43(a)(2))</li> <li>•Pre-season VMS notification (no form)(660.48(a)(9))</li> <li>•Gear left at-sea report (no form) (660.48(a)(6))</li> <li>•At-sea catch report (no form)(660.50(c))</li> </ul>
<b>Bottomfish/ Seamount Groundfish</b>	<ul style="list-style-type: none"> <li>•Logbooks: catch &amp; effort data (State of Hawaii form) (660.3 &amp; 660.14(g))</li> <li>•Protected species interaction report (no form)</li> <li>•Pre-trip notification (no form)(660.63)</li> <li>•Pre-landing notification (no form) (660.63)</li> </ul>
<b>Precious corals</b>	<ul style="list-style-type: none"> <li>•Logbooks: catch and effort data (660.14(a))</li> <li>•Sales report (in logbook) (660.14(a))</li> </ul>
<b>Experimental Fishing Permits</b>	<ul style="list-style-type: none"> <li>•Experimental fishing reports (no form) (600.17)</li> </ul>

As indicated, these data are needed to monitor the fisheries, determine whether the current management measures are having the intended effects, and evaluate the benefits and costs of changes in management measures.

Pre-trip notifications are required for the Hawaii longline and Northwestern Hawaiian Islands (NWHI) bottomfish fisheries to determine whether vessels should be required to carry observers to collect detailed information on the fishery, including total catch and discards, interactions with protected resources, and biological characteristics of the catch. Observers are able to collect more detailed information than could be expected of fishermen. In cases when an observer placement is needed, this collection also provides time for a pre-trip meeting between the vessel operator and NMFS staff to arrange the observer placement. This meeting ensures that the vessel operator and the observer have common information concerning the roles and responsibilities of the operator, crew, and observer during the trip. Pre-trip notices from vessels also may provide a basis for targeting enforcement efforts to determine compliance with management measures.

Logbooks (crustaceans, pelagic longline, precious corals) are required to obtain catch and effort information. These data are especially needed for determining the condition of the stocks. Drastic changes in catch per unit effort (CPUE) are often indicative of significant shifts in the size and structure of the stock and suggest that changes in management measures may be appropriate to respond to declines or increases in stock sizes. Changes in CPUE in a fishery may reflect interactions with another fishery (e.g., longline fishing for pelagic species may affect troll and handline catches of pelagic species, and vice versa) or may have implications for other fisheries (e.g., if CPUE drops in fishery A, vessels may shift over to fishery B). The annual report evaluations for the crustacean, pelagic, and precious coral fisheries depend heavily on the availability of catch and effort data from logbooks.

State of Hawaii logbooks provide NWHI bottomfish catch and effort information which is used by NMFS, among other things, to evaluate and determine the eligibility of vessel owners for renewal of NWHI bottomfish limited access permits (50 CFR 660.61). There is no Federal logbook reporting requirement for the NWHI bottomfish fishery because of the agency's reliance on the State's reporting requirement. The state's bottomfish logbook information is also used for annual reports on the status of the NWHI fishery.

Sales and transshipment reports (crustaceans, pelagics) are used to ensure full reporting of all landings and sales of fish from the management unit. Vessels in the Hawaii longline fishery occasionally receive shark fins from foreign mothership vessels. The fins are landed in Hawaii and directly transshipped, via containers, as bonded products to Asian markets. NMFS longline transshipment reports serve as one of the major sources of information on shark fins originated from foreign fishing vessels and landed in Hawaii since there might not be records compiled on this commodity by the state fishery agency.

The sales report portion of the precious corals logbook provides a basis of understanding the economic values associated with the fishery, which is still in a developmental stage with virtually no historic data. This information is vital for comprehending the full economic values associated with the fishery and support industries; it is needed to evaluate the magnitude and distribution of impacts from changes in management regulations.

In the longline fishery, notification is required from Hawaii longline vessels that are not equipped with VMS units and which intend to transit through the 50-nm protected species zone around the NWHI. At this time, all vessels active in the fishery have VMS units so this requirement is moot. It is possible that one or more inactive permit holders will reenter the fishery with a vessel that does not have a VMS unit. This notice is intended to assist in deployment of enforcement assets to monitor vessel activity in and through this zone and ensure that no fishing occurs within closed waters. The closure serves to protect Hawaiian monk seals, an endangered species. However, the trend is for vessels to leave, rather than enter, this fishery and no vessels without VMS are expected to participate. Therefore, it is estimated that there is zero burden associated with this requirement.

In-season, at-sea daily catch and effort reports are required in the NWHI lobster fishery to allow NMFS to monitor catches on a daily basis during the fishing season so that the harvest guideline can be implemented. At current stock levels, the fishery only lasts about one month, so daily reports are critical to ensure that the harvest limit is not exceeded. It should be noted that this fishery will be closed during year 2000 due to concerns about the lobster stock; its future remains uncertain at this time.

Operators of vessels registered with NWHI lobster fishing permits are allowed to report in-season catch and effort information to NMFS while at sea via VMS, single side-band radio, marine operator, etc. Because of its cost-effectiveness, VMS is currently the method of choice for at-sea transmission of lobster data. Federal regulations require an operator of a permitted NWHI lobster vessel to notify NMFS by June 15 of each year (prior to the July 1 opening of the lobster season), whether his or her vessel will be using a VMS unit in the fishery enabling NMFS to inspect and certify the unit. Most of the lobster boats are also registered with Hawaii longline permits and carry NMFS purchased and installed VMS units. Therefore, at this time there are no costs associated with VMS purchase/installation, although the vessels pay for at-sea messaging of their daily catch and effort data to NMFS. Vessels that initially enter the fishery and do not have Hawaii longline permits will have to bear the cost of purchasing and installing NMFS-certified VMS units. VMS reports in the NWHI crustacean fishery is cleared NMFS-wide under OMB No. 0648-0307; however this submission incorporates the collection under the Southwest Logbook Family of Forms (OMB No. 0648-0214).

Required pre-landing notification (NWHI crustacean fishery) and pre-offloading notifications (NWHI crustacean and bottomfish fisheries) facilitate enforcement of fishery regulations and sampling of the catch to obtain better information on the species and size composition of the landings. These data are vital for sound stock assessments to determine the need for changes in regulations to protect the stocks. Dock-side inspections by NMFS enforcement agents also provide a check on compliance with reporting requirements.

Reports on protected species interactions (pelagics, crustaceans, bottomfish) are required to ensure adequate information on the extent to which there are any direct impacts of the fishery on the protected species. In the crustacean and longline fisheries, such interactions are reported on logbook forms previously cleared by OMB under this collection. In the NWHI bottomfish fishery, although fishermen report their bottomfish landings on State of Hawaii logbook forms, these forms do not collect protected species interaction information. In this instance, fishermen have been instructed by NMFS to report any protected species interaction on whatever form they believe is appropriate to describe the event. While no interaction with protected species is expected, the estimate of burdens includes the estimated paperwork for one interaction per year as a “worst case scenario”.

The requirement to report lobster traps left at sea is intended to monitor the impacts of and, when possible, to ensure quick removal of gear that could adversely impact protected Hawaiian monk seals. Although there have been no reports of monk seals interacting with traps, there is still a potential that lost gear could entangle or ensnare seals while the seals are foraging for food. Also,

any lost gear could be actively "ghost fishing" (i.e., catching lobsters that subsequently cannot escape and die) and cause unanticipated fishing mortality.

Experimental fishing permits (EFPs) are available to all western Pacific fisheries to allow fishing using gear, techniques, or strategies that are otherwise prohibited under the respective fishery management plans. For example, these permits may allow fishermen to experiment with new gear and techniques that might increase catch per unit effort and reduce the catch of incidental species. They also allow fishermen to engage in data collection activities during a closed season in support of NMFS fishery research and management programs or to achieve other desirable objectives. The FMPs require that there be reports of the results of fishing under the EFPs so that there will be a basis for determining whether to change the regulations to allow the new gear or techniques in the fishery. The reports are needed to establish whether the objectives of granting the EFP were achieved.

In rare situations, a longline vessel operator or owner may incur "lost fishing time" due to observer injury or illness. If so, the operator or owner may file a claim for compensation based on information about average catches per day at sea the previous two years and current fish prices. While no such claims are expected, the estimate of burdens includes the estimated paperwork associated with one claim per year as a "worst case" scenario.

In four cases, while the regulations authorize or establish requirements that involve collection burdens, it is estimated that there will be no actual burden due to changes in the fishery. First, in the longline fishery, substantial parts of the EEZ around the main Hawaiian islands are generally closed to longline fishing, but a person who can demonstrate reliance on this area over a long period to time may qualify for an exemption from the area closure. The regulations provide a process to request and document this exemption, which is intended to allow operators of small vessels with long-term dependence on nearshore waters to continue to use longline gear. The documentation provides details so that enforcement officers can monitor compliance with any such exemption limits. No new requests are anticipated in the future even though the provision remains in the regulations. Second, a pre-trip notification requirement remains in the regulations for the bottomfish fishery. It was instituted to facilitate placement of observers on NWHI bottomfish fishing vessels. However, due to budget constraints, staff shortages, and an emphasis on monitoring the longline fishery, no observers have been placed under this authority, and pre-trip notices are not being enforced. Continuation of this requirement is being reviewed. At this time, no pre-trip notices are expected. Third, also in the NWHI bottomfish fishery, a pre-landing notice has been required that applied only to those vessels on a trip with observer coverage. The notice was needed to plan to meet the vessel and debrief the observer if deemed necessary. Again, as no observers are available for the fishery, this requirement is estimated not to generate any burden for the foreseeable future. Fourth, the regulations for the crustaceans fishery require weigh-out slips and dealer reports to be submitted, if available, with a sales report. However, actual practice indicates weigh-out slips and dealer reports for crustaceans are not available at that time and are not being submitted. Similarly dealer records for longline-caught pelagic species are not being collected under the authority vested in NMFS.



All longline vessels registered with Hawaii longline limited entry permits are required to carry VMS units when at sea. A permitted longliner is prohibited from fishing for pelagic species without a VMS unit on board after the vessel's owner (permit holder) has been advised by NMFS of a requirement for such a unit. NMFS provides the units and installs them at no cost to the permit holder. Installation times have been arranged at times when the vessel is in port between trips to ensure minimal disruption of other activities by the vessel. However, the vessel owner or a representative generally takes the time to observe the installation. In addition, the vessel owner or representative observes an annual maintenance check and any software changes.

VMS units allow the continuous monitoring of vessel locations to facilitate enforcement of area closures to protect Hawaiian monk seals and other protected species, and to prevent incidents of gear conflict between longlines and troll and handlines. Vessel locations are "polled" from a shore station by USCG and NMFS Enforcement staff on a regular basis, with the frequency of polling varying depending on the proximity of a vessel to a closed area boundary and the EEZ. A vessel's longline fishing activity can be determined by the "signature" made when positions are polled frequently.

VMS vessel location reports are used to facilitate enforcement of area closures and permit requirements for the fishery. The reports provide real-time vessel location and activity information needed by NMFS and USCG to deploy enforcement assets efficiently to enforce area closures as outlined above. The VMS reports also can be used to check the accuracy of the information contained in the longline logbooks required by the regulations. This is important in determining or verifying locations of catch by species and time, as well as locations in which there are interactions with protected species such as endangered and threatened sea turtles. The information provides a basis for determining whether changes in management are needed to protect sensitive species or to address fishery interaction problems and for evaluating the impacts of potential changes.

Collection of information by the VMS program is currently covered under the NMFS-wide Collection OMB No. 0648-0307; this submission incorporates the program's collection under the Southwest Region Logbook Family of Forms (OMB No. 0648-0214).

## **2. Users and Uses of the Information**

On a broad level, the reporting requirements provide the information needed by NMFS and the Council to regulate and monitor the fisheries managed under the FMPs and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information provides a basis for determining whether changes in management are needed to sustain the productivity of the stocks or to address economic problems in the fishery. The information is also used to provide a basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Without the information, the Council and NMFS would be unable to determine whether management is achieving the objectives of the FMPs and preventing overfishing, the principal requirement of the Magnuson-Stevens Act.

Information from mandated logbooks, sales reports and, if necessary, packing/weigh-out slips, is used to determine specific changes in fishery patterns, such as seasonal shifts and areas which are more important than others to the stocks or to the fishermen. Information from the logbooks, as well as ancillary dealer records, is used by enforcement agents of NMFS, State and USCG to monitor compliance with fishing regulations and reporting requirements. Information from pre-trip reports is used by NMFS to determine whether to place observers on selected vessels to obtain detailed information on fishing practices (including interactions with protected species) and the characteristics of the catch.

NMFS observer placement meetings ensure that there is common understanding of the roles and responsibilities of the vessel operator, crew, and observer during a trip. Information from pre-landing reports is used by NMFS to monitor compliance with the fishery regulations. Information provided by VMS (e.g., identity and location of longline vessels) is used to detect illegal fishing by longline vessels in the closed areas around the Hawaiian Islands without using patrol aircraft and vessels. Also, catch and effort information transmitted ship-to-shore via VMS enables NMFS to administer the lobster harvest guideline program. The timely receipt of harvest information enables NMFS to better determine when the harvest guideline will be attained and provide fishermen with advance notice of when closure of the lobster fishery will take effect. Other users and uses of information under this collection include required documentation submitted by longline vessel operators or owners to receive compensation from NMFS for lost fishing time due to serious injury or illness of a NMFS observer and notification by lobster boats of traps being stored at sea due to emergency situation and allowing NMFS to monitor for potential adverse impacts to protected species and the ecosystem.

Reports provided by fishermen as required under the experimental fishing program allow NMFS to use and disseminate the results of prohibited fishing activities which, when conducted under NMFS-specified controlled conditions, can yield much needed information on the resources and fisheries.

### **3. Use of Improved Information Technology**

NMFS and the Council are continuing to investigate information technology advances that would simplify the collection and reduce the burden. For example, reporting of catch and effort data electronically in association with vessel monitoring system units is already being done on a limited basis, e.g., NWHI lobster fishery, although data transmission security concerns have been raised by the industry. However, none of the collection elements that comprise this overall proposal is especially difficult or burdensome, and electronic reporting is being refined in order to provide strong basis for its adoption universally by all participants in fisheries managed by the Council. Logbook data are entered daily on forms provided by NMFS to prevent data quality problems from faulty recall. Pre-trip notifications are easily made by telephone, as are pre-landing/off-loading notifications. The difficulty of completing EFP reports cannot be predicted, and no forms are proposed. However, a written report is needed to evaluate the results relative to the current management regulations. There are no known tools (e.g., notebook computers, reports by cellular telephone) that would make the reporting easier at a justifiable cost at this time.

#### **4. Consideration of Other Collections**

NMFS carefully considered whether there were other collections by State and Territory agencies that might meet the information needs presented above. It was concluded that no other collections would meet these needs. The State of Hawaii requires submission of catch information, however, quite often the data are not available on a timely basis for Council and NMFS use. The Territory of American Samoa has promulgated requirements for filing catch reports, but this requirement does not provide the level of detail needed, and full compliance is not yet being achieved. Random sampling programs are used in Guam and American Samoa to monitor landings (non-longline pelagic fishery), but these collect total trip data rather than the daily records needed by the Council and NMFS. None of these other programs provide information regarding fishery interactions with protected species. There are no other Federal agencies collecting catch and effort data on these fisheries. It is noted that because there is the longline logbook requirement, High Seas Fishing Compliance Act logbooks are not required for longline vessels registered with Hawaii limited entry or western Pacific general longline permits even when these vessels are fishing on the high seas.

#### **5. Consideration of Problems for Small Businesses**

All of the vessels in the western Pacific fisheries are small business entities of similar size and are affected comparably. No special measures are needed to accommodate different sized businesses. Only the minimum data to meet the need for fishery-dependent data are collected through these programs.

#### **6. Consequences of Not Collecting the Data or Collecting The Less Frequently**

If the data are not available from this collection, NMFS and the Council will be unable to make sound management decisions that will conserve the fish stocks and sustain the economic health of the fisheries involved in the long term. Management will have to be far more conservative, and there will likely be adverse impacts on the fisheries or foregone benefits due to fishery constraints which might be unnecessary if full information were available. Stock assessments will have much higher potential for error; economic problems in the fisheries will not be identified on a timely basis; and the ability to estimate the impacts of changes in management will be severely limited, especially issues related to threatened and endangered species.

#### **7. Consistency with OMB Guidelines**

The collection is consistent with the OMB Guidelines, except that the frequency of the collections exceed the minimum quarterly reporting schedule and in most cases the collections require a response time of less than 30 days. The reporting frequency and response time for fishery-dependent data vary with specific reporting requirement. Daily logbooks were deemed most appropriate for detailed catch and effort data needed to assess the status of the stocks and the impacts of the fishery on the stocks, as well as the impact of regulations on the fisheries. Telephone notifications before and after the trips for selected fisheries are required on a trip-by-

trip basis to ensure the ability to place observers on a sound basis and to enhance compliance monitoring. EFP reports would be on an event basis. Transshipment reports would be required only for days when such activity occurs. At-sea catch reporting in the NWHI lobster fishery is limited to the frequency needed to ensure adequate monitoring of the catch against the harvest guideline without overburdening the fishermen. This is the least frequent reporting that is expected to meet the requirements for collecting data on a timely basis. VMS position reports are needed on a real-time basis. Collecting data less frequently (e.g., on a quarterly basis) and allowing fishermen at least 30 days to notify or submit required reports to NMFS (or the State of Hawaii for bottomfish reports) would diminish NMFS' and the Council's ability to make timely management decisions. As a result an overly conservative management approach would probably have to be adopted to accommodate greater uncertainty and minimize the risk of making the wrong decisions.

## **8. Consultations**

In developing these reporting requirements, NMFS consulted with its staff, the fishing industry, state and territory agencies, enforcement officials, the Western Pacific Fishery Management Council, and other agencies, including:

Mr. Jim Cook  
Pacific Ocean Producers  
965-B North Nimitz Highway  
Honolulu, Hawaii 96817  
808-541-2051

Mr./Mrs. Edward Timoney  
F/V Laysan  
777 Kapiolani Blvd. #1509  
Honolulu, Hawaii 96813  
808-524-6944

Mr. Robert Harman  
VMS Manager  
Law Enforcement Office (Honolulu)  
National Marine Fisheries Service  
300 Ala Moana Boulevard  
Honolulu, Hawaii  
808-541-3075

Mr. Brooks Takenaka  
United Fishing Agency  
117 Ahui Street  
Honolulu, Hawaii 96813  
808-536-2148

Mr. Dave Kalthoff  
F/V Aikane 49  
P.O. Box 5  
Eleele, Hawaii 96705

Mr. Theodore Benjestorf  
F/V Pacific Pride  
250 Ward St. Rm. 160  
Box 271  
Honolulu, Hawaii 96814

Dr. Samuel Pooley  
Fisheries Management/Performance  
Investigation  
NMFS Honolulu Laboratory  
2570 Dole Street  
Honolulu, Hawaii 96822  
808-983-5320

Mr. Reginald Kokubun  
Research Statistician  
Division of Aquatic Res.  
State of Hawaii  
1151 Punchbowl Street  
Honolulu, Hawaii 9613  
808-587-0084

Ms. Kitty Simonds  
Executive Director  
Western Pacific Fishery Management  
Council  
1164 Bishop Street, Suite 1400  
Honolulu, Hawaii 96813  
808-522-8220

Mr. Ray Tulafono  
Director  
Dept. of Marine & Wildlife Resources  
Govt. American Samoa  
Pago Pago, A. Samoa  
684-633-4456

In addition, through the annual FMP evaluation process, the Council and industry consider the need for changes in reporting elements, frequency, or approaches. These reviews resulted in minor modifications to collections approved previously and the modifications are reflected in this request.

#### **9. Payments or Gifts**

No payments or gifts are involved in this collection.

#### **10. Confidentiality**

The Magnuson-Stevens Act stipulates that data required to be submitted under a FMP shall be confidential and shall not be released except to Federal employees and Council staff responsible for FMP monitoring and development, or when required under court order. Logbook and other data submitted by fishermen will therefore be maintained as confidential.

#### **11. Sensitive Questions**

No questions are asked of a sensitive nature.

## 12. Estimated Information Collection Burden (Hours)

### PACIFIC PELAGIC FISHERY

#### Hawaii Longline:

Logbooks: 115 vessels x 10 trips/vessel x 11 days/trip x 5.25 min/day	=	1106.87
Pre-trip Notice: 115 vessels x 10 trips/vessel x 3 min/trip	=	57.50
Observer Placement Meetings: 115 vessels x meetings/vessel x 1 hour/meeting	=	115.00
Transshipment Logbooks: one vessel x 10 trips/vessel x 1 report/trip x 5 min/report	=	0.83
Pelagic Management Unit Species Dealer Report: None	=	0.00
Claims for Reimbursement for Lost Fishing Time: One claim x 4 hours/claim	=	4.00
Notification of entry to/exit from protected species zone: None	=	0.00
Request for Longline Closed Area Exemption: None	=	0.00
Longline Area Closure - VMS installation: 15 vessels x 4 hours/vessel	=	60.00
Longline Area Closure - VMS Maintenance: 115 vessels x 2 hours/vessel	=	230.00
Longline Area Closure - VMS Monitoring: 115 vessels x 24 seconds/day x 365 days/yr	=	279.80

#### American Samoa Longline:

Logbooks: 30 vessels x 100 trips/vessel x 1 day/trip x 5.25 min/day	=	262.50
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#### Guam, Commonwealth of the Northern Mariana Islands, U.S. Pacific Island Possessions Longline:

Logbooks: 3 vessels x 10 trips/vessel x 11 days/trip x 5.25 min/day	=	28.87
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### CRUSTACEAN FISHERY

Pre-landing Notice: 5 vessels x 1 trip/vessel x 3 min/trip	=	0.25
Pre-offloading Notification: 5 vessels x 1 trip/vessel x 3 min/trip	=	0.25
Logbooks: 5 vessels x 1 trip/vessel x 28 days/trip x 10 pages/day x 5 min/page	=	116.66
At-sea catch reports: 5 vessels x 28 reports/vessel x 3 min/report	=	7.00
Pre-season VMS Notice: 5 vessels x 1 notice/vessel x 3 min/notice	=	0.25
VMS Monitoring: 5 vessels x 24 seconds/day x 34 days/yr	=	1.13
Sales Reports: 5 vessels x 1 trip/vessel x 1 report/trip x 5 min/report	=	0.42
Dealer packing, weigh-out slips, records: None	=	0.00

Report on gear left at sea: 1 report/yr x 5 min/report	=	0.08
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### **BOTTOMFISH & SEAMOUNT GROUND FISH FISHERIES**

Pre-trip notification (Not currently applied)	=	0.00
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Pre-landing notification for observed vessels (Not currently applied)	=	0.00
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Logbooks: catch and effort data (State of Hawaii form)	=	0.00
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Protected species interaction: 1 report x 2 hr/report (no form)	=	2.00
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### **PRECIOUS CORAL FISHERY**

Logbooks: 2 vessels x 10 trips/vessel x 7 days/trip x 7 min/day	=	23.33
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Sales report in logbook: 2 vessels x 10 trips/vessel x 1 report/trip x 5 min per report	=	1.66
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### **EXPERIMENTAL FISHING PROGRAM**

Experimental fishing report: 4 vessels x 1 report/vessel x 4 hours/report	=	16.00
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<b><u>TOTAL ANNUAL COLLECTION BURDEN</u></b>	=	2314.40
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In deriving this estimate, the anticipated observer coverage rate is 10 percent of all trips for longline vessels out of Hawaii; that is, each tenth trip would be covered. This is likely an overestimate inasmuch as funding for the observer program is expected to decrease in future years. At this time, the extent to which the level of observer coverage will be reduced is unknown.

The estimated annual cost to respondents is estimated at \$46,260. This was derived by multiplying the number of hours of burden each year (2,313 hours) times an hourly cost rate of \$20, the estimated total cost for administrative staff support in an office setting.

## **13. Estimated Costs**

A lobster fishing vessel that does not have a VMS unit and enters the NWHI crustacean fishery, via a permit transfer, and chooses to comply with in-season reporting requirement using VMS will have a "start-up" capital cost. The one-time cost to purchase and install a VMS unit on board the vessel is about \$ 2,500. To date, new entrants into the NWHI lobster fishery have been Hawaii longline vessels that are already equipped with VMS units furnished by NMFS. It is likely, however, that a non-Hawaii longline vessel may enter the fishery in the future and be required to purchase/install a VMS unit.

The estimated annual cost to the lobster fishing fleet for transmission of catch and effort data to NMFS via VMS is \$420 (\$3/message x 28 reports x 5 vessels). VMS messaging cost to monitor Hawaii's longline area closure is borne by NMFS; therefore, no messaging cost is assessed the Hawaii longline fleet.

The annual estimated total cost incurred by vessel operators for postage (\$323) to mail the required reports and for charges to call/fax in pre-landing and pre-offloading notices (\$40) to NMFS is \$363.

#### **14. Estimated Cost to Government**

The estimated annual cost to the Federal Government to administer the western Pacific data collection program, including the Hawaii VMS program, and to process, store, and write programs for preparing summary reports is \$95,000.

#### **15. Program Changes or Adjustments**

The requested burden of 2,314 hours is an increase of 1,021 hours from the 1,293 hours currently approved for this collection under Collection No. 0648-0214 (Southwest Region Logbook Family of Forms). This reflects adjustments based on the use of up-to-date information on the size of the fishing fleets and their activity patterns in the several U.S. western Pacific fisheries to which the collection applies. Also, the collection burden associated with Hawaii's VMS program (570.42 hours), currently covered under a NMFS-wide approved collection (OMB No. 0648-0307), is now incorporated under the SWR Logbook Family of Forms.

The major changes are in the Hawaii longline fishery where the number of active vessels is fewer and these vessels are taking shorter trips. On the other hand, a growing artisanal longline fishery in American Samoa and the potential for longline fishing activity in the other non-Hawaii U.S. Pacific Island areas have added 291 hours to the estimated collection burden.

Other changes are relatively small. There is a decrease in lobster catch reports due to fewer vessels participating in the NWHI crustacean fishery; a small increase in precious coral logbook reporting due to the collection of additional data needed for stock assessment purpose and more vessels making more trips; and adjustments to the longline log sheet allowing fishermen to indicate the type of mitigation methods they employed to avoid seabird interactions. Collection of longline area closure exemption program around the main Hawaiian Islands previously approved has been dropped.

The estimated burden described here is believed to represent actual conditions and foreseeable events more accurately than the 1997 submission (as amended) for this family of forms.

It should be noted that the estimated number of respondents is less than the total of respondents for separate fisheries as some persons participate in two or more fisheries. Also, during the year, there may be changes in participation as permits are transferred from one person to another in the



crustacean or longline fisheries. The estimated number of respondents, however, is based on no change in permit holdings as this represents the number of permit holders at this time rather than the number of separate individuals who may participate in the fisheries. The total burden will not change with changes in persons holding permits.

#### **16. Publications**

No formal scientific publications based on these collections are planned at this time. The data will be used for management reports, fishery management plan amendments, and evaluations by the NMFS and the Council. However, subsequent use of the data collected over a series of years may include scientific papers and publications.

#### **17. Display of Expiration Date**

The expiration date will be shown on all forms used under this collection.

#### **18. Exceptions to the Certification Statement**

No exceptions to the certification statement are proposed.